

# MEMORANDUM

<b>DATE</b>	October 10, 2019
<b>TO</b>	Veterinary Medical Board
<b>FROM</b>	Moneel Singh, Operations Manager
<b>SUBJECT</b>	<b>Agenda Item 16. Update on 2019 Legislation</b>

The information below was based on legislation, statuses, and analyses (if any) publicly available on October 2, 2019. Legislation is amended, statuses are updated, and analyses are added frequently; thus, hyperlinks are provided throughout this document to ensure members and the public have access to the most up to date information. Printed legislation will not be included in meeting packets.

**A. AB 528 (Low, 2019) Controlled substances: CURES database**

Status: Enrolled September 20, 2019

Analysis: Assembly Business and Professions, 4/8/19  
 Assembly Appropriations, 4/22/19  
 Assembly Floor Analysis 4/26/19  
 Senate Business, Professions and Economic Development, 6/29/19

Changes the required timeframe in which pharmacists are required to report dispensed prescriptions to the state's prescription drug monitoring program (PDMP) from seven days to the following business day.

**This bill will allow the veterinarian to report the information required as soon as reasonable possible but not more than seven days after the date a controlled substance is dispensed.**

Existing law requires a health care practitioner authorized to prescribe, order, administer, furnish, or dispense controlled substances included on Schedule II, Schedule III, or Schedule IV, and a pharmacist upon licensure, to submit an application to obtain approval to electronically access information in the CURES database.

This bill would permit a licensed physician and surgeon to submit an application to obtain approval to electronically access information in the CURES database.

Existing law requires an authorized health care practitioner to consult the CURES database to review a patient's-controlled substance history before prescribing a Schedule II, Schedule III, or Schedule IV controlled substance to the patient for the first time and at least once

every 4 months thereafter if the controlled substance remains part of the treatment of the patient.

This bill would instead require the authorized health care practitioner to consult the CURES database to review the patient's-controlled substance history at least once every 6 months after the first time the substance is prescribed.

**B. AB 611 (Nazarian, 2019) Sexual abuse of animals**

Status: Enrolled September 10, 2019  
Analysis: Assembly Public Safety, 3/18/19  
Assembly Appropriations, 4/1/19  
Senate Public Safety, 6/3/19  
Senate Appropriations, 6/24/19

Board Position: Support

Existing law makes it a misdemeanor to sexually assault certain animals for the purpose of gratifying the sexual desires of a person.

This bill would repeal that provision and would instead prohibit sexual contact, as defined, with any animal. The bill would make a violation of these provisions punishable as a misdemeanor. The bill would also authorize the seizure of an animal used in the violation of this offense.

Existing law makes it a misdemeanor for persons convicted of certain animal abuse crimes to own, possess, maintain, care for, reside with, or have custody of an animal for a specified period after conviction.

This bill would add animal sexual abuse to the list of offenses which result in that prohibition.

Prior versions of this bill expanded the existing reporting requirement to include when the veterinarian has reasonable cause to believe an animal has been a victim of sexual abuse or kept without proper care and attention, as specified. However, the bill was amended in August to remove the expansion.

**C. SB 202 (Wilk, 2019) Animal blood donors**

Status: Enrolled September 13, 2019  
Analysis: Senate Agriculture, 3/28/19  
Senate Judiciary, 4/22/19  
Senate Floor Analyses 5/18/19  
Assembly Judiciary

Board Position: Support

This bill would modify the definition of a commercial blood bank for animals to include establishments that collect blood not only from "captive closed-colony" animals that are kept, housed, or maintained for the purpose of collecting blood, but also "community-sourced" animals, as defined, that are brought by their guardians to the commercial blood bank for animals to have their blood collected. The bill would require a commercial blood bank for animals to include, in its written protocol, blood-borne pathogen testing for all canine and feline blood donors, as provided. The bill would delete the above-described exemption from the California Public Records Act, except for personal information of guardians of community-sourced animal donors, as provided.

**D. SB 627 (Galgiani, 2019) Medicinal cannabis and medicinal cannabis products: veterinary medicine**

Status: Pulled at the request of author

Analysis: Senate Business, Professions, and Economic Development 5/2/19

Senate Appropriations 5/3/19

Senate Floor Analyses 5/18/19

Assembly Business and Professions Committee 7/5/19

Board Position: Support if Amended

SB 627 would, among other things, authorize veterinarians to recommend medicinal cannabis or medicinal cannabis products for use on animal patients. It would also require the Board to issue guidelines on the appropriate administration and use of medicinal cannabis on an animal patient. The Board would be required to report to the Legislature on January 1, 2021, and every six months thereafter, on the status and progress of developing the guidelines. During the April 2019 meeting, the Board opposed SB 627 (Galgiani, 2019).

The Board acknowledged that cannabis and cannabis products may have potential health benefits to animals. However, there is still a significant need for funding for cannabis research so that veterinarians and the public are informed on the possible efficacious use of cannabis to treat animals and ensure the full protection of consumers and their animals. While other medications and dangerous drugs have been provided to animal patients without significant research, those were not previously identified as Schedule I Controlled Substances, as is cannabis.

In the [Assembly Business and Professions Committee analysis of SB 627](#), multiple policy issues and recommended amendments were identified, many mirroring the Board's concerns, including the lack of research and necessary funding for the research. In addition, one of the amendments removed the Board's reporting requirement to the Legislature and replaced it with a 2022 deadline for adopting recommendation guidelines.

During the July 9, 2019 Committee hearing, the author's office accepted all amendments in the Committee analysis, the Chair provided a "Do Pass" recommendation, and the bill passed out of Committee to the Assembly Appropriations Committee.

Although the Committee analysis specifically raised concerns about the lack of research and funding for said research, there were no proposed amendments in the analysis to address the concerns. Shortly after the July 9, 2019 hearing, Committee staff requested the Executive Officer and legal counsel draft language that would address the concerns for the author's consideration (attached). Committee staff also forwarded the language to the Assembly Appropriations Committee for consideration.

During the last Board meeting, the Board amended its "Oppose" position to "Support if Amended" with the hopes of securing funding for necessary research. Shortly after sending its position letter, the Board was notified the author's office pulled the bill. They have expressed interest in working with us next session to address the Board's concerns.